

## 1 UNITED STATES DISTRICT COURT

## 2 DISTRICT OF NEVADA

3 JEFFREY MICHAEL MCMAHON,

Case No. 3:24-cv-00380-MMD-CLB

4 Plaintiff

**ORDER**

5 v.

6 TIME KEEPER NDOC, et al.,

7 Defendants

8

9 On August 26, 2024, pro se plaintiff Jeffrey Michael McMahon, an inmate in the  
 10 custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C.  
 11 § 1983. (ECF No. 1-1). Plaintiff has neither paid the full \$405 filing fee for this matter nor  
 12 filed an application to proceed *in forma pauperis*. (See ECF No. 1).

13 **I. DISCUSSION**

14 The United States District Court for the District of Nevada must collect filing fees  
 15 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee  
 16 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55  
 17 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the  
 18 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev.  
 19 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate  
 20 must submit **all three** of the following documents to the Court: (1) a completed  
 21 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the  
 22 Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a  
 23 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is  
 24 properly signed by both the inmate and a prison or jail official; and (3) a copy of the  
 25 **inmate’s prison or jail trust fund account statement for the previous six-month**  
 26 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*  
 27 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means  
 28 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

## **II. CONCLUSION**

It is therefore ordered that Plaintiff has **until November 20, 2024**, to either pay the full \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: (1) a completed application with the inmate's two signatures on page 3, (2) a completed financial certificate that is signed both by the inmate and the prison or jail official, and (3) a copy of the inmate's trust fund account statement for the previous six-month period.

Plaintiff is cautioned that this action will be subject to dismissal without prejudice if Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a complete application to proceed *in forma pauperis* or pay the required filing fee.

The Clerk of the Court is directed to send Plaintiff Jeffrey Michael McMahon the approved form application to proceed *in forma pauperis* for an inmate and instructions for the same and retain the complaint (ECF No. 1-1) but not file it at this time.

DATED THIS 20th day of September 2024.

**UNITED STATES MAGISTRATE JUDGE**